

Message Text

CONFIDENTIAL

PAGE 01 STATE 065476

67

ORIGIN ORM-03

INFO OCT-01 EUR-25 NEA-10 ADP-00 SR-02 CIAE-00 FBIE-00

INSE-00 NSAE-00 VO-03 SCA-01 L-03 IO-12 /060 R

DRAFTED BY S/ R: ORM: CCPAPPAS: CML

4/9/73 EXT. 22151

APPROVED BY S/ R - OWTRUEWORTHY

NEA/ ARN - MR. RANSOM

INS - MR. KRAMER

VO - MR. MCGILL

S/ R: ORM - MR. DAWSON(SUBSTANCE)

----- 021133

R 092115 Z APR 73

FM SECSTATE WASHDC

TO AMEMBASSY BEIRUT

AMEMBASSY AMMAN

INFO AMEMBASSY ATHENS

AMEMBASSY ROME

C O N F I D E N T I A L STATE 065476

FOR INS ATHENS AND ROME

E. O. 11652: GDS

TAGS: CVIS, SREF, JO

SUBJECT: REQUEST FOR ADVISORY OPINION - PALESTINE REFUGEES

REF: BEIRUT 3336

1. REGRET DELAYIN REPLY TO REFTEL.

2. WE CAN LOCATE NO FORMAL DETERMINATION MADE TO PROHIBIT PALESTINIAN ARABS FROM CONSIDERATION UNDER SECTION 203(A) (7) OF THE IMMIGRATION ACT. NOR IS THERE ANY STATUTORY RESTRICTION TO SUCH CONSIDERATION. THE LANGUAGE OF THE LAW IS BROAD ENOUGH TO INCLUDE PALESTINIAN ARABS. AFTER THE PRESENT LANGUAGE OF 203(A)(7) WAS PLACED IN THE ACT IN 1965, THERE WAS AN EXCHANGE OF TELEGRAMS BETWEEN THE DEPARTMENT AND EMBASSY, BEIRUT. THE EMBASSY POINTED OUT THE SENSITIVE PROBLEMS THAT THE GOL WOULD FACE RELATIVE TO PROVIDING LAISSEZ PASSERS TO PALESTINIANS WITH GUARANTEED

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 065476

RE- ENTRY FOR TWO YEAR PERIOD REQUIRED BY INS. DEPARTMENT AGREED THAT THIS REQUIREMENT WOULD PROBABLY CAUSE PROBLEMS TO ALL ARAB GOVERNMENTS. AS A RESULT, NO ENCOURAGEMENT WAS GIVEN TO USE OF 203(A)(7) FOR PALESTINIAN REFUGEES. ACTUALLY, CONDITIONAL ENTRY HAS BEEN GRANTED TO PALESTINIAN ARABS (FIVE BETWEEN 1969 AND 1970). HOWEVER, THESE WERE INDIVIDUAL CASES INVOLVING SPECIAL CIRCUMSTANCES (SUCH AS PREVENTING FAMILY SEPARATIONS). AS FAR AS ARAB GOVERNMENTS

KNEW, SUBJECTS HAD DEPARTED AS IMMIGRANTS RATHER THAN REFUGEES.

3. WE BELIEVE MOHAMMAD AWADALLAH CAN BE GIVEN FOLLOWING INFO: HE MUST APPLY BEFORE IMMIGRATION OFFICER AT CERTAIN DESIGNATED POINTS (ATHENS AND BEIRUT NEAREST AMMAN). HE MUST ESTABLISH TO SATISFACTION OF INS OFFICIAL THAT "(I) BECAUSE OF PERSECUTION OR FEAR OF PERSECUTION ON ACCOUNT OF RACE, RELIGION OR POLITICAL OPINION HE HAS FLED... (II) FROM ANY COUNTRY WITHIN GENERAL AREA OF THE MIDDLE EAST, AND (II) IS UNABLE OR UNWILLING TO RETURN TO SUCH COUNTRY OR AREA ON ACCOUNT OF RACE, RELIGION OR POLITICAL OPINION, AND (III) IS NOT NATIONAL OF THE COUNTRIES OR AREAS IN WHICH HIS APPLICATION FOR CONDITIONAL ENTRY IS MADE." THESE ARE STATUTORY PROVISIONS THAT MUST BE MET.

4. IN ADDITION TO STATUTORY ASPECTS, HE MUST ESTABLISH THAT HE HAS NOT BEEN FIRMLY RESETTLED IN ANOTHER COUNTRY SINCE HE FLED. A JORDANIAN PASSPORT SHOWING AWADALLAH TO BE A NATIONAL OR BECOMING A PERMANENT RESIDENT OF JORDAN WOULD RAISE THE PRESUMPTION OF RESETTLEMENT.

5. WE HAVE HANDLED A NUMBER OF REQUESTS FOR POLITICAL ASYLUM BY PALESTINIANS IN THE US. ALL HAVE MADE ASYLUM REQUEST ON GROUNDS THEY DISPLACED BY 1967 WAR AND CANNOT RETURN TO THEIR HOMES. IN THESE CASES WE HAVE RECOMMENDED TO INS AGAINST ASYLUM. OUR VIEW IS THAT ALTHOUGH THEY ARE PRECLUDED FROM RETURNING TO WEST BANK, THEY CAN RETURN TO JORDAN WHERE THEY WOULD NOT BE PERSECUTED. ROGERS

CONFIDENTIAL

*** Current Handling Restrictions *** n/a

*** Current Classification *** CONFIDENTIAL

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts:
Control Number: n/a
Copy: SINGLE
Draft Date: 09 APR 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: morefirh
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973STATE065476
Document Source: CORE
Document Unique ID: 00
Drafter: ORM: CCPAPPAS: CML
Enclosure: n/a
Executive Order: RR
Errors: n/a
Film Number: n/a
From: SECSTATE WASHDC
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19730438/aaaaiaavz.tel
Line Count: 107
Locator: TEXT ON-LINE
Office: ORIGIN OR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 73 BEIRUT 3336
Review Action: RELEASED, APPROVED
Review Authority: morefirh
Review Comment: n/a
Review Content Flags:
Review Date: 12 SEP 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <12-Sep-2001 by martinml>; APPROVED <09-Nov-2001 by morefirh>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: <DBA CORRECTED> gwr 971216
Subject: REQUEST FOR ADVISORY OPINION - PALESTINE REFUGEES
TAGS: CVIS, SREF, JO
To: AMMAN
ATHENS
BEIRUT
ROME
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005